



MAR 2 4 1999

Application No.: 08/878177

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

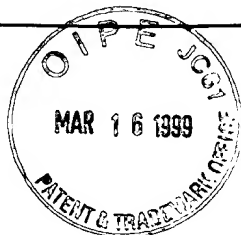
**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

DEA/FCE-1994

|               |             |                       |                     |
|---------------|-------------|-----------------------|---------------------|
| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
|               |             |                       |                     |



|          |              |
|----------|--------------|
| EXAMINER |              |
|          |              |
| ART UNIT | PAPER NUMBER |
|          | 6            |

DATE MAILED:

**Please find below a communication from the EXAMINER in charge of this application**

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for response beyond the SIX MONTH statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Karen Cochrane Carlson, Ph.D. whose telephone number is (703) 308-0034. The Examiner can normally be reached daily except alternate Fridays from 7:30 A.M. to 5:00 P.M.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Mr. Robert Wax, can be reached at (703) 308-4216. The OFFICIAL fax phone number for Technology Center 1600 is (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 1600 receptionist whose telephone number is (703) 308-0196.

*Karen Cochrane Carlson Ph.D.*

KAREN COCHRANE CARLSON, PH.D.  
PRIMARY EXAMINER

w/d

CP 1633/\$  
BOX SEA

PATENT  
ATTORNEY DOCKET NO.: 46124-5001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Masahiro IWAMOTO *et al.*

Application No.: 08/878,177

Filed: June 18, 1997

For: CELL CALCIFICATION  
SUPPRESSING PROTEINS, AND  
GENES OF THE PROTEINS



Group Art Unit: 1633

Examiner: M. Wilson

MAR 23 1999  
GROUP 1000

MAR 24 1999  
GROUP 1000

Assistant Commissioner for Patents  
Washington, D.C. 20231

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated February 12, 1999.
2. Additional papers enclosed:
  - ☐ Request for Approval of Drawing Changes
  - ☐ Drawings: ☐ Formal
  - ☐ Information Disclosure Statement
  - ☐ Form PTO-1449, ☐ references included
  - ☐ Citations
  - ☐ Declaration of Biological Deposit
  - ☒ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

03/19/1999 SSRL EEXU 00000120 06878177  
01.10.1999  
110.00.00

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

| <u>Total Months Requested</u>                 | <u>Fee for Extension</u> | <u>[fee for Small Entity]</u> |
|---|--------------------------|-------------------------------|
| <input checked="" type="checkbox"/> one month | \$ 110.00                | \$ 55.00                      |
| <input type="checkbox"/> two months           | 380.00                   | 190.00                        |
| <input type="checkbox"/> three months         | 870.00                   | 435.00                        |
| <input type="checkbox"/> four months          | 1,360.00                 | 680.00                        |

Extension of time fee due with this request: \$110.00.

- ☒ If an additional extension of time is required, please consider this a Petition therefor.
- ☐ An extension for \_\_ months has already been secured and the fee paid therefor of \$ \_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

## 4. Fee Calculation

| CLAIMS AS AMENDED  |   |       |                                   |                  |                    |            |
|--|---|-------|-----------------------------------|------------------|--------------------|------------|
|  | Claims<br>Remaining<br>After<br>Amendment |       | Highest No.<br>Previously<br>Paid | Present<br>Extra | at Rate of         | Total Fees |
| Total Claims   | 19  | minus | 20                                | 0                | _ x \$18.00 each = | + \$ 0.00  |
| Independent Claims   | 10  | minus | 10                                | 0                | _ x \$78.00 each = | + \$ 0.00  |
| <input type="checkbox"/> First presentation of Multiple dependent claim(s) |   |       |                                   |                  | \$ 260.00          | + \$ 0.00  |
| SUBTOTAL   |   |       |                                   |                  |                    | = \$ 0.00  |
| Reduction by ½ for filing by a small entity                                |   |       |                                   |                  |                    | - \$ 0.00  |
| TOTAL FEE  |   |       |                                   |                  |                    | = \$ 0.00  |

5. Fee Payment

☐ No fee is to be paid at this time.

☒ A check in the amount of \$110.00 for a one month extension of time is enclosed. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.

☒ The Commissioner is hereby authorized to charge any additional fees including fees due under 37 CFR § 1.16 and § 1.17 which may be required, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS

Dated: March 16, 1999

Michael S. Tuscan

Michael S. Tuscan

Reg. No. 43,210

MORGAN, LEWIS & BOCKIUS LLP

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JGS/DAB/MST